

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 13915 of 2005

DATED: 17.9.2007

Between:

D Satyanarayana & ors

petitioners

And

M/s Praga Tools Limited

Rep by its Managing Director

6-6-8/32, Kavadiguda Road,

Secunderabad – 500 080

(A PSU under the Govt of India,

Ministry of Heavy Industries and Public Enterprises

Dept of Public Enterprises and a subsidiary unit of

M/s. H M T Limited, Bangalore and ors

respondents

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 13915 of 2005

Oral Order:

This writ petition is filed seeking a direction to the first respondent to regularize the services of the petitioners on par with their juniors and to grant all consequential benefits.

As per the writ averments, the first petitioner is working from 1984 and the petitioners 2 to 4 are working from 1986 onwards continuously as casual workers in the respondent company. The grievance of the petitioners is that the respondent company is not following the seniority and ignoring their claim, has regularized the services of their juniors. Hence the present writ petition.

Today when the matter is taken up, learned counsel for petitioner submitted that similarly placed persons working as Welder-cum-fitters in the respondent company filed W.P. No. 17116 of 1996 and the said writ petition was disposed of by order dated 16.2.2006 directing the respondents to regularize the services of the petitioners with effect from the date of their juniors were regularized. It is further submitted that in terms of the orders of this Court in W.P No. 17116 of 1996, the services of the petitioners therein, who were juniors to petitioners herein were regularized and the cases of the petitioners herein were not considered.

Learned Standing Counsel for respondent company admitted that the issue raised in the present writ petition is covered by the

orders of this Court in W.P.No. 17116 of 1996 and submitted that as against the said order an appeal in W.A No. 445 of 2006 and the same is pending. It is further submitted that no interim orders were granted and the W.A.M.P. No. 1026 of 2006 was dismissed by order dated 3.7.2006.

Heard the learned counsel for petitioner and learned standing counsel for respondent company and perused the material available on record including the orders dated 16.2.2006 in W.P No. 17116 of 2006. The operative portion of orders dated 16.2.2006 in W.P No. 17116 of 2006 reads as under;

“The petitioner shall be regularized in service with effect from the date their juniors were regularized. They will not be entitled for arrears of wages. They shall, however, be given notional increments, on the basis of which they shall be placed in the appropriate scales of pay and paid salary accordingly. Petitioners shall be entitled for payment of salary/wages, in the appropriate scales of pay, only from the date of this order. It is also made clear that this order shall not preclude the respondents from reducing its surplus manpower in accordance with law.”

Since the issue raised in the present writ petition is squarely covered by the above orders, following the same and for the reasons mentioned therein, this writ petition is also disposed of in terms of orders of this Court in W.P. No. 17116 of 2006 dated 16.2.2006.

No costs.

N.V.RAMANA,J

DATE: 17.9.2007

**Note: Registry to annex copy
of orders in WP No. 17116/07
dated 16.2.06**

B/O tvk

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